BUSINESS PLAN 2017–20
Justice and Solicitor General

ACCOUNTABILITY STATEMENT

This business plan was prepared under my direction, taking into consideration the government's policy decisions as of March 3, 2017.

original signed by

Kathleen Ganley, Minister

MINISTRY OVERVIEW

The ministry consists of the Department of Justice and Solicitor General, the Victims of Crime Fund and the Human Rights Education and Multiculturalism Fund. Within the department's budget, funding is provided for the following agencies, boards and commissions: Alberta Human Rights Commission, Alberta Review Board, Criminal Injuries Review Board, Fatality Review Board, Judicial Council, Law Enforcement Review Board, Notaries Public Review Committee, Provincial Court Nominating Committee, Rules of Court Committee and Victims of Crime Programs Committee. The Property Rights Advocate Office, Office of the Public Guardian and Trustee and the Office of the Chief Medical Examiner have specific legislated functions to carry out independently from the department, but operate through the department in other areas.

Justice and Solicitor General helps ensure that all Albertans can live in safe and resilient communities while having access to a fair and innovative justice system. It ensures that public affairs are administered according to law. Working alongside its partners in law enforcement, family justice, health, the judiciary, the criminal justice system, and other stakeholders, the ministry has a direct or shared responsibility in all elements of the justice system in Alberta. Its programs and services help ensure Albertans' security and access to justice through efficient functioning of courts, corrections, and law enforcement. The ministry provides the Alberta Crown Prosecution Service, the administration of the courts in Alberta, information and dispute resolution options for people accessing the court system, legal and related strategic services to government, and effective custody and community supervision services. The ministry also provides provincial policing services through an agreement between the province and the federal government that establishes the Royal Canadian Mounted Police as the provincial police. The ministry supports, educates and trains police commissions and policing committees who oversee municipal policing. The ministry has a role to play in delivering legal aid to Albertans through an agreement with the Law Society of Alberta and Legal Aid Alberta. The ministry works together with Community and Social Services and Children Services to help families adjust their changing legal relationship and their lasting obligations that go along with those changes.

A more detailed description of Justice and Solicitor General and its programs and initiatives can be found at www.justicesolgen.alberta.ca.

STRATEGIC CONTEXT

The outcomes and key strategies identified in this business plan are aligned with the strategic direction of the Government of Alberta.

Justice and Solicitor General is committed to ensuring Albertans and their communities are supported, resilient and safe, and that the justice system is accessible and responsive. The ministry continues to deliver client-focused services that are accessible through multiple channels and are specific to client needs. However, the service delivery capacity of Justice and Solicitor General is currently under significant strain, as expectations for timely and modern services continue to increase. As demands on the justice system are increasing, the ministry must find new ways of delivering services in order to remain sustainable. While a focus on prevention, intervention and treatment is key to ensuring long term system sustainability, the ministry must be responsive to the user demands of the justice system.

Implementation of new legislation and changes to existing legislation have created greater demand for enhanced services and increased the ministry's enforcement obligations. For example, the recent Supreme Court of Canada decision in *R v. Jordan* imposes deadlines for the resolution of court matters. While the ministry is committed to supporting the resolution of legal matters as quickly as possible, this court decision requires the ministry to assess and modify its approaches and processes going forward to ensure timely resolution.

Clients interacting with the system are also becoming more complex. Whether justice system clientele are dealing with social issues such as poverty, homelessness, or addictions and mental health issues, or are self-represented litigants in the courts, the demand and requirement for varied services is vast.

Despite current fiscal challenges, the government is committed to achieving better outcomes to ensure communities are safe, and the justice system is accessible and responsive to Albertans' needs.

OUTCOMES, KEY STRATEGIES AND PERFORMANCE MEASURES

Outcome One: Albertans have access to information to help to resolve their civil, criminal, and/or family legal issues, and when required, have appropriate and timely access to the courts

The ministry is committed to delivering alternative dispute resolution pathways to enable Albertans to resolve their legal issues outside of the courts, where appropriate. Not all legal issues require court intervention to achieve resolution. Albertans will benefit from affordable and less adversarial options, including administrative alternatives to court processes, for less serious matters. At the same time, this allows justice and court resources to be focused on the timely resolution of serious or complex criminal, family and civil matters. Albertans will be educated and informed about resolution options that are faster and more efficient.

Key Strategies:

1.1 Work with legal aid stakeholders to improve the sustainability of legal aid.

1.2 Work with partners and Indigenous people to ensure programs such as the Aboriginal Court Worker Program, the Aboriginal Justice Strategy Program, and the production of *Gladue* reports for the Province, strengthen the relationship between the department and Indigenous stakeholders and enhance access to justice by assisting Indigenous people to obtain fair and culturally sensitive treatment in the justice system.

1.3 Develop and enhance policies and tools to comply with the Supreme Court framework in *R v. Jordan* regarding the right of accused to be tried within a reasonable time.

1.4 Using a client-focused approach, deliver resolution and court services to Albertans.

1.5 Reform the family justice system in Alberta to make it more open and responsive by providing families with coordinated services to resolve disputes where possible without having to go to court, and when court processes are required, making them less adversarial.

1.6 Explore, and where possible, implement reforms and electronic processes for driving offences (including traffic tickets), increasing the justice system's capacity to handle more serious civil, criminal and family matters in a timely way.

Performance Measures	Last Actual 2015-16	Target 2017-18	Target 2018-19	Target 2019-20
1.a Percentage of *Gladue* reports produced within six weeks of request from courts	90% (May-March)	90%	90%	90%
1.b Percentage of Albertans who agree that fair and impartial service is provided to prosecute people charged with a crime[1]	81% (2014-15)	n/a	82%	n/a
1.c Median elapsed time from first to last appearance for a criminal case in Provincial Court and Court of Queen's Bench of Alberta	107 days (2014-15)	105 days	105 days	105 days
1.d Provincial Court lead time to trial for serious and violent matters	21.9 weeks	20 weeks	20 weeks	20 weeks

Note:

[1] Beginning in 2015-16, this measure is based on a biennial survey with targets and results available every other year.

Linking Performance Measures to Outcomes:

1.a Demonstrates the ministry's ability to facilitate the consideration of the unique circumstances of Indigenous people when sentencing an Indigenous person accused of an offence by providing timely and effective *Gladue* reports.

1.b Indicates the public perception of Alberta's prosecution service. When criminal legal issues are resolved quickly and appropriately, Albertans are more likely to agree that fair and impartial service is provided to prosecute people charged with a crime.

1.c Indicates how quickly criminal cases proceed through the Provincial Court and Court of Queen's Bench of Alberta. Persons charged with an offence have the right to be tried within a reasonable time, and resolving cases in a way that is both efficient and fair is in the interest of all stakeholders in the criminal justice system.

1.d Indicates the availability of Provincial Court for all criminal cases. The ministry and Provincial Court are working together to reduce lead times for serious and violent cases proceeding to trial.

Performance Measure(s) under Development:

A measure related to delivering alternative dispute resolution pathways is under development to demonstrate the ministry's commitment to enable Albertans to resolve their legal issues outside of the courts, where appropriate.

Outcome Two: Albertans are safe and protected through focused work on a preventative model of community safety

The justice system is complex and multifaceted and must strive to strike the right balance between complex and competing priorities. The ministry aims to shift over time from a reactive model to a preventative model. The preventative model promotes community safety by addressing the underlying drivers of crime and emphasizing rehabilitation which reduces recidivism.

Key Strategies:

2.1 Together with our partners, explore opportunities to engage in a more preventative approach to criminal justice that ensures drivers of crime, including addiction and mental health issues, are addressed.

2.2 Enhance collaborative relationships between government, law enforcement partners and the communities they serve, in order to modernize enforcement and promote effective crime reduction.

2.3 Work collaboratively with partners to explore gaps and identify creative solutions and strategies to ensure excellence in service provision to victims as they transition through the criminal justice process. This work will ensure thorough examination and strengthening of performance measures, policies and practices, and will build strategic accountabilities to support a sustainable continuum of services available to victims of crime in Alberta.

Performance Measures	Last Actual (Year)	Target 2017-18	Target 2018-19	Target 2019-20
2.a Percentage of Albertans who feel safe walking alone in their area after dark[1]	81% (2014-15)	n/a	85%	n/a
2.b Percentage of Albertans satisfied with policing in Alberta over the past 12 months[1]	81% (2014-15)	n/a	85%	n/a
2.c Percentage of victims satisfied with services provided by employees and volunteers within the criminal justice system	85% (2015-16)	86%	87%	87%

Note:

1 Beginning in 2015-16, this measure is based on a biennial survey with targets and results available every other year.

Linking Performance Measures to Outcomes:

2.a Demonstrates the ministry's commitment to promoting safe, secure and resilient communities and enables the ministry to better utilize resources in delivering prevention focused services to Albertans.

2.b Indicates the public's perception of policing. As policing partners play a critical role in crime prevention and intervention, this measure supports the ministry's policing funding and oversight role.

2.c Indicates the ministry's success in supporting victims in their interactions with the justice system.

Performance Indicators	Actual 2011	Actual 2012	Actual 2013	Actual 2014	Actual 2015
2.a Crime Rate[1]					
• Violent Crime Rate:					
o Alberta	1,403	1,385	1,282	1,255	1,292
o Canada	1,236	1,197	1,093	1,041	1,062
• Property Crime Rate:					
o Alberta	4,370	4,293	4,286	4,336	5,162
o Canada	3,536	3,435	3,147	3,090	3,220
2.b Crime Severity Index[2]					
• Violent Crime Severity Index:					
o Alberta	95	89	85	86	96
o Canada	86	82	74	71	74
• Non-violent Crime Severity Index:					
o Alberta	85	85	85	87	104
o Canada	74	73	67	65	68

Notes:

1 Crime Rate per 100,000 population. Violent crime includes homicide, attempted murder, various forms of sexual assault, robbery and abduction. This does not include traffic incidents that result in death or bodily harm. Property crime includes theft, break and enter, fraud and possession of stolen goods. This does not include the use of threat of violence against an individual.

2 The Police Reported Crime Severity Index (PRCSI) measures changes in the level of severity of crime in Canada from year to year. In the index, all crimes are assigned a weight based on their seriousness. The level of seriousness is based on actual sentences handed down by the courts in all provinces and territories. More serious crimes are assigned higher weights, less serious offences lower weights. As a result, more serious offences have a greater impact on changes in the index. The PRCSI is standardized to 100 in base year 2006.

- Calendar years are presented, for example, as 2014; fiscal years are presented, for example, as 2014-15.

Outcome Three: Alberta's justice system is sustainable and affordable

The ministry is committed to finding innovative solutions to improve access to justice. Improvements are required to deliver services more effectively and efficiently, to decrease the length of time it takes for cases to proceed through the courts and to ensure the justice system's response is proportionate to the seriousness of the matter.

Key Strategies:

3.1 Work with partners in the evolution of rehabilitative policies and programs for individuals involved in the justice system by ensuring the services and supervision provided are responsive and coordinated, given varying needs and risks.

3.2 Explore new technology to enhance correctional operations and further develop the supervision and support to individuals under correctional jurisdiction.

3.3 Advance policies, processes and practices regarding alternatives to incarceration and effective community transition to ensure ministry efforts are focused on individuals with the highest needs, enhancing the safety of Albertans.

3.4 Through ongoing consultations with stakeholders, review and assess the pilot bail model to ensure decisions are made as early as possible while the release and detention of individuals continues to be appropriate, proportionate, and makes the most efficient use of justice system resources.

Performance Measures	Last Actual 2015-16	Target 2017-18	Target 2018-19	Target 2019-20
3.a Percentage of offenders successfully completing their sentence while on temporary absence without incurring new criminal charges	100%	100%	100%	100%
3.b Percentage of probation officers trained in the use of effective intervention techniques derived from evidence-based principles[1]	18% (June 2016)	55% of existing staff	73% of existing staff	95% of existing staff

Note:

[1] This measure is included as the first step in a staged introduction of a new performance measure. The new measure will ultimately assess the effectiveness of evidence-based community supervision practices on client risk.

Linking Performance Measures to Outcomes:

3.a The Temporary Absence Program is an early release program targeting low-risk offenders and provides these individuals with an opportunity to pursue employment or rehabilitative programming in the community, when they would have otherwise been incarcerated.

3.b Indicates the percentage of probation officers trained in Effective Practices in Community Supervision (EPICS), an evidence-based model for supervising clients using Risk, Need, Responsivity (RNR) principles and core correctional practices. Unlike traditional models of supervision, EPICS teaches officers to focus on moderate and high risk offenders, target criminogenic needs, and use cognitive behavioural interventions during their contact sessions. Research supports that sustained adherence to EPICS can play a more significant role in reducing recidivism than traditional models.

Performance Measure(s) under Development:

A measure related to the sustainability of the justice system is under development to demonstrate the ministry's commitment to ensuring justice continues to be delivered for Albertans now and in the future.

RISKS TO ACHIEVING OUTCOMES

The following key risks to achieving ministry outcomes have been identified:

- **Proportionality.** In order to ensure that serious and violent crimes are resolved within the timeframe imposed by the *Jordan* decision the ministry must modify its approach. The system response must be proportionate to the severity of the crime committed while balancing the cumulative impact that low-level prolific crimes have on victims and communities. If the current disproportional response to crime and social disorder is not addressed it will result in further strains on the justice system including delays in court, dismissal of cases, and ultimately the erosion of community safety.
- **Sustainability and Integration.** A sustainable justice system must focus on crime prevention, and operate in a cohesive and integrated manner to coordinate, align and prioritize work effectively. There are many different competing mandates, priorities and pressures within the justice system so a balanced response is required. Without balance, complex issues are addressed in a disjointed and siloed manner, staff struggle to deliver services that meet client expectations, and the system is difficult for Albertans to access and navigate. A more integrated systems approach - with enhanced use of prevention and diversion resources - will promote staff well-being, support optimal use of ministry and policing resources, provide better support to Albertans including victims of crime, and improve offender management.
- **Evidence-based decision-making.** In order to provide modern services efficiently and effectively, decision makers require timely access to accurate, reliable and appropriate information. Without this information, decisions could be delayed and uninformed undermining the ministry's credibility and ability to achieve its strategic outcomes.

STATEMENT OF OPERATIONS

(thousands of dollars)	Comparable					
	2015-16 Actual	2016-17 Budget	2016-17 Forecast	**2017-18 Estimate**	2018-19 Target	2019-20 Target
REVENUE						
Internal Government Transfers	-	-	-	**1,400**	5,000	12,500
Transfers from Government of Canada	32,861	33,342	35,036	**36,286**	36,128	36,128
Investment Income	1,136	970	1,021	**995**	995	995
Motor Vehicle Accident Claim Fees	22,849	23,400	23,400	**23,700**	24,000	24,300
Other Premiums, Fees and Licences	28,717	28,273	29,398	**31,335**	31,555	31,775
Fines and Penalties	203,565	209,307	210,453	**225,007**	230,907	234,857
Maintenance Enforcement	14,356	14,977	15,177	**17,377**	17,412	17,447
Other Revenue	31,119	23,674	34,668	**26,528**	24,816	25,437
Ministry Total	334,603	333,943	349,153	**362,628**	370,813	383,439
Inter-Ministry Consolidations	(578)	(525)	(525)	**(1,925)**	(5,525)	(13,025)
Consolidated Total	334,025	333,418	348,628	**360,703**	365,288	370,414
EXPENSE						
Ministry Support Services	57,730	60,887	59,887	**58,961**	61,446	64,517
Resolution and Court Administration Services	208,439	205,353	204,853	**212,885**	218,047	223,847
Legal Services	56,112	54,847	54,847	**53,701**	54,909	55,938
Alberta Crown Prosecution Service	96,010	90,980	95,980	**97,973**	99,158	101,004
Support for Legal Aid	66,000	68,500	77,900	**81,400**	81,400	81,400
Justice Services	67,973	70,971	73,345	**77,945**	76,823	78,466
Public Security	483,363	485,687	486,937	**485,388**	497,919	506,647
Correctional Services	274,783	266,801	282,801	**280,537**	286,031	291,270
Alberta Human Rights	8,117	8,397	8,717	**8,412**	8,592	8,795
Motor Vehicle Accident Claims	25,670	21,058	29,058	**23,641**	23,641	24,074
Victims of Crime Fund	36,374	33,257	35,516	**35,659**	37,461	38,145
Ministry Total	1,380,571	1,366,738	1,409,841	**1,416,502**	1,445,427	1,474,103
Inter-Ministry Consolidations	(1,328)	(525)	(525)	**(605)**	(525)	(525)
Consolidated Total	1,379,243	1,366,213	1,409,316	**1,415,897**	1,444,902	1,473,578
Net Operating Result	(1,045,218)	(1,032,795)	(1,060,688)	**(1,055,194)**	(1,079,614)	(1,103,164)
CAPITAL INVESTMENT						
Ministry Support Services	1,088	549	666	**3,549**	7,149	14,649
Resolution and Court Administration Services	929	1,000	1,032	**1,000**	1,000	1,000
Alberta Crown Prosecution Service	14	-	-	**-**	-	-
Justice Services	177	620	1,094	**620**	620	620
Public Security	428	533	533	**533**	533	533
Correctional Services	147	150	150	**150**	150	150
Victims of Crime Fund	454	25	25	**25**	25	25
Ministry Total	3,237	2,877	3,500	**5,877**	9,477	16,977
Inter-Ministry Consolidations	-	-	-	**(1,400)**	(5,000)	(12,500)
Consolidated Total	3,237	2,877	3,500	**4,477**	4,477	4,477